

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

5:07cv29

| | | |
|-----------------------------------|---|--------------|
| ROADWAY EXPRESS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| Vs. |) | ORDER |
| |) | |
| LUCKY COUNTRY, INC., d/b/a |) | |
| Australian Manufacturing, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

THIS MATTER is before the court on the court's Motion for Case Status. On December 4, 2007, the mediator filed a report indicating that this matter had settled and that defendant's counsel would file a voluntary dismissal with prejudice (by all parties) not later than December 15, 2007. Having considered the court's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that parties the court's Motion for Case Status is **GRANTED**, and that counsel for the respective parties either file a properly executed Rule 41 dismissal by February 22, 2008, or appear for a Final Pretrial Conference at 10:30 a.m. on February 28, 2008, in Asheville.

Signed: February 13, 2008

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

